

**MINUTES OF THE REGULAR MEETING OF THE
SAN MARCOS PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS, CITY HALL
November 13, 2012**

1. Present

Commissioners:

Bill Taylor, Chair
Curtis Seebeck, Vice Chair
Chris Wood
Carter Morris
Kenneth Ehlers
Randy Bryan

City Staff:

Matthew Lewis, Development Services Director
Kristy Stark, Development Services
Roxanne Nemcik, Assistant City Attorney
Francis Serna, Recording Secretary
Alison Brake, Planner
Emily Koller, Planning Tech
John Foreman, Planning Manager
Tory Carpenter, Planning Technician

2. Call to Order and a Quorum is Present.

With a quorum present, the Regular Meeting of the San Marcos Planning & Zoning Commission was called to order by Chair Taylor at 6:00 p.m. on Tuesday November 13, 2012, in the Council Chambers, City Hall, City of San Marcos, 630 E. Hopkins, San Marcos, Texas 78666.

3. Chairperson's Opening Remarks.

Chair Taylor welcomed the audience and viewers. Chair Taylor announced that Items 9 & 10 LUA-12-08 and ZC-12-13 will be postponed at the request of the applicant. In addition, items 12-17, PDD-12-02, ZC-12-05, ZC-12-06, ZC-12-11, LUA-12-04 and LUA-12-06 will also be postponed at the request of the applicant.

Item 18 was moved after the Chairperson's Opening Remarks.

Non Consent Agenda:

18. Discussion regarding Comprehensive Plan and consider recommendation of approval to City Council of Goals and proposed by the Citizens Advisory Committee.

MOTION: A motion was made by Commissioner Morris and a second by Commissioner Seebeck to remove PPF-G3; PPF-G4; PPF-G5; ED G1; ED-G3; and ED G5 from the Finalized Goals. The Commission voted one (1) for and five (5) against to approve removing PPF G3; PPF G4; PPF G5; ED G1; ED G3 and ED G5. The motion failed.

AMENDED MOTION: Upon a motion made by Commissioner Bryan and a second by Commissioner Seebeck, the Commission voted five (5) for and (1) against to add ED G5 back in the Finalized Goals. The motion carried.

AMENDED MOTION: Upon a motion made by Commissioner Ehlers and a second by Commissioner Bryan, the Commission voted all in favor to recommend to City Council to approve all the Finalized Goals as submitted by the Citizen Advisory Committee. The motion carried unanimously.

Item 11 was moved after item 8.

11. PDD-09-01(a) (Retreat on Willow Creek) Hold a public hearing and consider a request by Patrick Christensen, P.C., on behalf of Preferred Development Partners, for amendments to the existing Planned Development District for the Retreat on Willow Creek, consisting of 101.4 acres of land, more or less, out of the J.M. Veramendi Survey No. 1, Abstract No. 17, as originally approved by Ordinance No. 2009-81.

Vice Chair Seebeck opened the public hearing.

Beverly McClintock, 108 Howard Place, immediately adjacent to the Retreat at Willow Creek stated her house sits on 1.25 acres and the existing agreement would allow for 5 thirty foot high on lots nine times smaller than hers. She expressed concerns regarding trees being removed to build a detention pond. She added that the building setback will only be 20'. Ms. McClintock felt that the changes will personally affect her. She said there will be increased noise, light, loss of privacy, loss of wildlife habitat and decreased property values. Ms. McClintock added that the neighborhood is unified in requesting a 50' vegetated buffer, trees shrubs and grasses left in place between their fences and the lots being built. In addition, they are requesting only single story homes be built on the lots closest to their homes with building setbacks of 25'. She explained that they felt that the added provisions in the development agreement will greatly help protect the neighborhood. She pointed out that they understand that there is a need for single family homes in the area. Ms. McClintock explained that the density of the proposed single family development represents a truly different land use that will impact their peaceful neighborhood.

Lee Leavitt, 817 Willow Creek Circle, presented the Commission with images prepared with an image editor to show what the neighborhood will look like once a development is complete. He estimated that seven or eight KB homes will be built on the size of one Willow Creek lot. Mr. Leavitt explained that the neighborhood believes there should be a transition between the two neighborhoods. He suggested a 50' vegetated buffer and one story homes. He pointed out that earlier development plans called for a 200' buffer and they are only asking for 25% of that buffer which is 50'. Mr. Leavitt said that 25' is not enough. He mentioned that they are asking for a 50' buffer in order to protect their privacy and property values. He felt that their request is very reasonable. Mr. Leavitt pointed out that many neighbors were present for the meeting.

Erin Levitt, 817 Willow Creek Circle, Real Estate Agent, addressed the impact that the proposed development will have on their property. She said she called the real estate agenda and was told that the proposed development will absolutely impact their property values. She explained that the Realtors she called are in support of their requests. Ms. Leavitt stated that she understands why people want to live on the West side of town. She explained that the area is beautiful because of the residents that are currently in the area. The properties have big lots with big trees. Ms. Leavitt pointed out that Willow Creek Estates has been there for a long time. She added that there are 13 phases of Willow Creek and they are phase 1. She said they felt that having the development right up against them will greatly impact the neighborhood. Ms. Leavitt said they do not understand why KB cannot put single family homes along the Willow Creek neighbors.

Gene Pettit, 406 Laurel Hill, Laurel Estates stated that he agrees with his neighbors. He added that that the City should think about the capabilities of the sewer system for the homes being serviced by the City and for Laurel Estates when they get annexed into the city.

Nancy McClintock, stated her mother lives at 108 Howard Place. She said they originally requested a 75' vegetated buffer. She pointed out that they have revised their proposal to request a 50' vegetated buffer with a 25' setback from the lot lines and single story homes adjacent to Willow Creek homes. Ms. McClintock stated that communities across the country are struggling with this same issue. She quoted code 6.7.3.1 which requires harmonious transitions between development of different densities for the protection and the care of the value of existing single family residential properties. Ms. McClintock pointed out that she went to Round Rock and looked at comparable development. She said in her observation she is convinced that their concessions are correct and that they would truly protect the quality of life and the property values of the neighborhood.

Patrick Christensen, P.C., on behalf of Preferred Development Partners gave a brief presentation.

MOTION: Upon a motion made by Commissioner Seebeck and a second by Commissioner Morris, the Commission voted all in favor to postpone Item 9 (LUA-12-08); Item 10 (ZC-12-13); Item 12 (PDD-12-02); Item 13 (ZC-12-05); Item 14 (ZC-12-06); Item 15 (ZC-12-11); Item 16 (LUA-12-04) and Item 17 (LUA-12-06) to the November 27, 2012 Planning and Zoning Commission meeting. The motion carried unanimously.

19. Development Services Report

- a. Update from staff on Comprehensive Plan
- b. Board & Commission Term Expirations

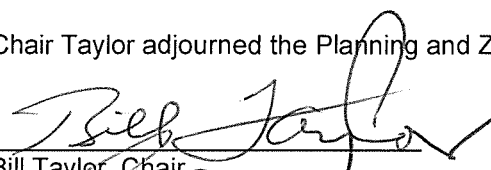
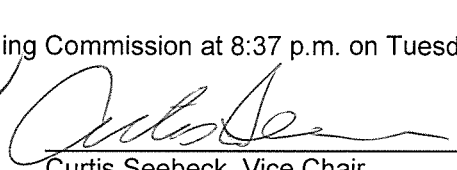
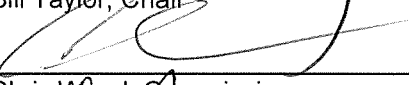
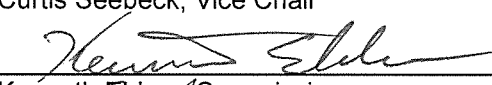
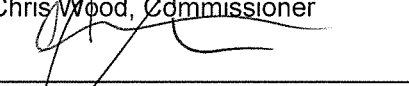
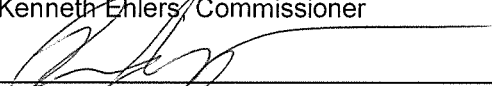
Matthew Lewis announced the Nov. 14th Comp Plan Meeting. He advised the Commission that the Board and Commission Term Expirations have been extended to February 28, 2013. New appointees will begin their term on March 2013.

20. Question and Answer Session with Press and Public. *This is an opportunity for the Press and Public to ask questions related to items on this agenda.*

There were no questions from the press and public.

21. Adjourn.

Chair Taylor adjourned the Planning and Zoning Commission at 8:37 p.m. on Tuesday, November 11, 2012.

 _____ Bill Taylor, Chair	 _____ Curtis Seebeck, Vice Chair
 _____ Chris Wood, Commissioner	 _____ Kenneth Ehlers, Commissioner
 _____ Carter Morris, Commissioner	 _____ Randy Bryan, Commissioner

ATTEST:



Francis Serna, Recording Secretary